## UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF NEW YORK

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SECURITIES AND EXCHANGE COMMISSION,

Plaintiff, : 17 Civ. 5821 (LGS)

-against-

ROBERT DONALD BRUCE GENOVESE,

B.G. CAPITAL GROUP, LTD., and ABRAHAM "AVI" MIRMAN, :

Defendants.

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## DECLARATION OF JACK KAUFMAN IN SUPPORT OF PLAINTIFF'S MOTION FOR PARTIAL SUMMARY JUDGMENT AGAINST DEFENDANT ABRAHAM MIRMAN

I, Jack Kaufman, pursuant to 28 U.S.C. § 1746, declare as follows:

- 1. I am a Senior Trial Attorney with the Division of Enforcement of the United States Security and Exchange Commission, New York Regional Office (the "Commission"), and I represent the Commission in this action. I make this declaration in support of the Commission's Motion for Partial Summary Judgment Against Defendant Abraham Mirman, filed concurrently herewith.
- 2. Appended to this declaration are true and correct copies of the documents listed in the table below, which correspond to the "Exhibits" identified in the Commission's Memorandum of Law in Support of its Motion for Partial Summary Judgment against Defendant Abraham Mirman, and in its Rule 56.1 Statement, filed concurrently herewith.

Exhibit	
Number	Exhibit Description
1	Transcript excerpts of October 25, 2019 Abraham Mirman ("Mirman") deposition testimony in <i>SEC v. Genovese, et al.</i> , 17-cv-5821 (LGS) (S.D.N.Y.) (" <i>SEC v. Genovese</i> ").
2	Exhibit 1 to Mirman October 25, 2019 Deposition in SEC v. Genovese – Financial Industry Regulatory Authority ("FINRA") Web CRD Mirman U4 employment history.
3	Excerpts of Exhibit 8 to Genovese October 25, 2019 deposition in SEC v.  Genovese – Mirman October 10, 2012 email to Richard Nummi ("Nummi") attaching Mirman October 10, 2012 Memorandum from Mirman to Nummi.
4	Transcript excerpts of Mirman March 15, 2013 Securities and Exchange Commission ("SEC") investigation testimony.
5	Excerpts of FINRA Web CRD records for John Thomas Financial ("JTF").
6	Transcript excerpts of Mirman testimony in <i>FINRA v. JTF, et al.</i> , No. 20120334673-01 (FINRA hearing Dec. 19, 2013).
7	Transcript excerpts of September 13, 2019 Nummi deposition testimony in SEC v. Genovese.
8	Transcript excerpts of December 22, 2015 Anastasios Peter Belesis ("Belesis") deposition testimony in <i>Stanaford v. Genovese, et al.</i> , 13-cv-80923 (S.D. Fla.) (" <i>Stanaford v. Genovese</i> ").
9	Transcript excerpts of April 18, 2019 Robert Bursky ("Bursky") deposition testimony in SEC v. Genovese.
10	March 12, 2019 letter to the Court in <i>SEC v. Genovese</i> from Michael F. Schwartz as counsel for Belesis.
11	Excerpted pages from Exhibit 1 to Bursky April 18, 2019 deposition in SEC v. Genovese – January 1, 2012 Agreement.
12	Transcript excerpts of November 23, 2015 Mirman deposition testimony in <i>Stanaford v. Genovese</i> .
13	Transcript excerpts of October 22, 2019 Robert Genovese ("Genovese") deposition testimony in <i>SEC v. Genovese</i> .
14	Transcript excerpts of William Tafuri ("Tafuri") February 20, 2013 SEC investigation testimony.
15	Exhibit 3 to April 4, 2019 Donald Durando ("Durando") deposition testimony in SEC v. Genovese – August 27, 2012 BG Capital Investment Summary – titled "LIBERTY SILVER CORP."
16	Exhibit 2 to Bursky April 18, 2019 deposition in <i>SEC v. Genovese</i> – August 27 & 29, 2012 JTF memoranda regarding August 28, 2012 Tafuri talk to JTF registered representatives.
17	August 25, 2012 email string between Mirman and Genovese.
18	August 19, 2012 email from Genovese to Mirman.
19	August 29, 2012 email from Genovese to Mirman.
20	Excerpt of September 4, 2012 email from Mirman to Belesis, forwarding email from Genovese to Mirman.
21	Transcript excerpts of Mirman April 20, 2016 SEC investigation testimony.

Exhibit	
Number	Exhibit Description
22	Excerpt of Exhibit 8 to September 13, 2019 Nummi deposition testimony in SEC
	v. Genovese – JTF confirmation of sale of 6.6 million shares of Liberty Silver
	Corp by BG Capital Group Limited.
23	Excerpt of July 15, 2015 letter from Seth Taube to Margaret Spillane.
24	Declaration of Elzbieta Wraga.
25	Excerpts of September 13, 2012 email from Bari Latterman ("Latterman") to Mirman.
26	Excerpt of September 17, 2012 email from Latterman to Mirman.
27	Excerpts of September 19, 2012 3:36pm email from Latterman to Mirman.
28	September 20, 2012 Plantation Florist/Floral Promotions Invoice.
29	Transcript excerpts of Renos Gordos March 8, 2013 SEC investigation testimony.
30	Excerpts of Exhibit 10 to Mirman April 20, 2016 SEC investigation testimony – text messages between Mirman and Belesis.
31	Excerpts of Exhibit 4 to April 18, 2019 Bursky deposition testimony in SEC v. Genovese.
32	Excerpts of September 19, 2012 3:02pm email from Latterman to Mirman.
33	October 2, 2012 emails between Andrew Chambliss and SEC.
34	Transcript excerpts of April 4, 2019 Durando deposition testimony in SEC v.
	Genovese.
35	Excerpts of Exhibit 19 to April 4, 2019 Durando deposition testimony in SEC v.
	Genovese – JTF confirmations of JTF Investment Representative Durando Liberty
	stock sales, September 27, 2012 – October 2, 2012.
36	Excerpts of September 24, 2012 4:25pm email from Latterman to JTF Operations,
	copying Mirman.
37	Excerpts of September 24, 2012 5:22pm email from Latterman to Mirman.
38	September 21, 2012 "Letter of Invitation From A Citizen of Panama."
39	Excerpted September 20, 2012 email from Latterman to Vogel.
40	Excerpts of September 21, 2012 letter from Gary Joiner to Pacific Stock Transfer Company.
41	Transcript excerpts of Stacey Vogel ("Vogel") June 30, 2016 SEC investigation
	testimony.
42	Excerpts of Exhibit 36 from Vogel June 30, 2016 SEC investigation testimony –
	Genovese stock ownership chart.
43	Excerpts of Liberty Form 10-K for the fiscal year ended June 30, 2012.
44	Pacific Stock Transfer Company Control Book/Liberty Silver Corporation
45	Declaration of John Pulos (without exhibits).
46	Excerpts of Liberty Form 10-Q for the quarter ended September 30, 2012.
47	Transcript excerpts of October 30, 2019 Tafuri deposition testimony in SEC v. Genovese.
48	Excerpts of Exhibit 10 to Tafuri October 30, 2019 deposition in SEC v. Genovese
40	- William Tafuri email exchanges.
49	Excerpts of Pacific Stock Transfer Company Liberty Silver Corp Transaction Journal.

Exhibit	
Number	Exhibit Description
50	Exhibit 30 to Genovese October 22, 2019 deposition in SEC v. Genovese –
	Genovese email exchanges with Peter Hogendoorn.
51	Exhibit 31 to Genovese October 22, 2019 deposition in SEC v. Genovese –
	Genovese.

3. I declare under penalty of perjury that the foregoing is true and correct.

Dated: New York, New York March 20, 2020

/s/ Jack Kaufman Jack Kaufman